SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1967.

CENTRAL MAGAZINE SALES, LTD. *v.* UNITED STATES.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT.

No. 368. Decided October 23, 1967.

PER CURIAM.

The petition for a writ of certiorari is granted and the judgment of the United States Court of Appeals for the Fourth Circuit is reversed. *Redrup* v. *New York*, 386 U. S. 767.

MR. JUSTICE HARLAN concurs in the judgment of reversal upon the premises stated in his separate opinion in *Roth* v. *United States*, 354 U. S. 476, 496, and in his dissenting opinion in *Memoirs* v. *Massachusetts*, 383 U. S. 413, 455, 457.

THE CHIEF JUSTICE believes this case is controlled by *Roth* v. *United States*, 354 U. S. 476, and the judgment should be affirmed in accordance with the principles enunciated in the opinion of the Court in that case.

MR. JUSTICE MARSHALL took no part in the consideration or decision of this case.